

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARTIN VOE, an individual proceeding
under a pseudonym,

Case No. 3:14-cv-01016-SB

Plaintiff,

**OPINION AND
ORDER**

v.

ROMAN CATHOLIC ARCHBISHOP OF
PORTLAND IN OREGON, AND
SUCCESSORS, A CORPORATION SOLE, an
Oregon Corporation, d/b/a ARCHDIOCESE OF
PORTLAND IN OREGON; and ARCHDIOCESE
OF PORTLAND IN OREGON, an Oregon
Corporation,

Defendants.

MOSMAN, District Judge;

BECKERMAN, Magistrate Judge.

Plaintiff Martin Voe (“Plaintiff”) filed this action against the Roman Catholic Archbishop of Portland in Oregon, and successors, a corporation sole, dba Archdiocese of Portland in Oregon (“the Archdiocese”), on June 24, 2014. This Court has subject matter jurisdiction over this action

pursuant to 28 U.S.C. § 1334(b), based on the relatedness of these proceedings to *In re Roman Catholic Archbishop of Portland* (“RCAP”), Case No. 04-37154, a case arising under Title 11 of the United States Code. Specifically, the Third Amended and Restated Joint Plan of Reorganization (“the Plan”) confirmed in *RCAP* sets a \$20 million cap on the funds available to pay claims made against the Archdiocese through 2023.

Currently before the Court is the Archdiocese’s unopposed motion to approve the settlement of Plaintiff’s claims, and to approve payment from the Future Claims Trust. For the reasons set forth below, the Court grants the Archdiocese’s unopposed motion, and approves the proposed settlement.

The parties sought to resolve this matter through mediation in early December 2014, and were unsuccessful, but settlement negotiations continued thereafter. Following litigation, the parties informed the Court on March 18, 2015, that they had resolved the case. If the Court approves the parties’ settlement, Plaintiff will receive \$525,000 from the Future Claims Trust. Pursuant to section 6.4.5 of the Plan, the parties’ settlement, and therefore payment to Plaintiff out of the Future Claims Trust, is subject to this Court’s approval.

Section 11.8 of the Plan requires that notice of any motion to approve a settlement subject to the Future Claims Trust be served upon: all plaintiffs with pending or otherwise unpaid claims against the Archdiocese and Archbishop, Future Claimants’ Representative David A. Foraker, and Known Tort Claims Trustee and Future Claims Trustee Union Bank of California. Section 11.8 also provides that all notified parties must be provided at least twenty days (plus an additional three days if notice is served by mail), to file objections, if any, to such motion.

On March 19, 2015, the Archdiocese served the required notice by mail on all of the necessary parties. The period for filing objections to the parties' proposed settlement expired on April 13, 2015. No objections were filed.

In the absence of objection by any interested party, and in consideration of the proposed payment at issue relative to the amount remaining in the Future Claims Trust, the undersigned find no reason to deny approval of the parties' proposed settlement. Accordingly, the Court grants the Archdiocese's motion, and approves the proposed settlement.

CONCLUSION

For the reasons set forth above, the Court GRANTS the Archdiocese's unopposed motion to approve the settlement of Plaintiff's claims against the Archdiocese (ECF No. 47); approves the proposed settlement; and authorizes payment to Plaintiff in the amount of \$525,000, from the Future Claims Trust. All pending motions, if any, are denied as moot.

Dated this 16th day of April, 2015.



MICHAEL W. MOSMAN
United States District Judge



STACIE F. BECKERMAN
United States Magistrate Judge